

THE UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT

TINNUS ENTERPRISES, LLC and)	No. 16-1410
ZURU LTD.,)	
Plaintiffs-Appellees,)	
)	
v.)	
)	
TELEBRANDS CORP. and)	
BED BATH & BEYOND INC.,)	
Defendants-Appellants.)	

**APPELLANTS' UNOPPOSED MOTION FOR EXTENSION OF TIME TO
FILE APPELLANTS' REPLY BRIEF**

Pursuant to the Rule 4(a)(5)(A)(ii) of the Rules of the Federal Circuit, Appellants respectfully request an extension of 14 days to file their reply brief. Appellants' reply brief is currently due on May 16, 2016; with the 14-day extension, the reply brief would be due on May 30, 2016. This is Appellants' first request for extension of time in this appeal. Counsel for Appellants has consulted with counsel for Appellees, who indicated that they will not oppose this motion.

This request for an extension of time is necessitated by a number of unforeseen and urgent deadlines in the underlying litigation and related cases that require Appellants' immediate attention. Specifically, on May 4, 2016, Appellees filed an emergency motion for a preliminary injunction in *Tinnus Enterprises, LLC, and Zuru Ltd. v. Telebrands Corp.*, Civ. Act. No. 6:16-cv-00033-RWS-JDL (E.D. Tex.), which included over 1400 pages in exhibits. Appellants have opposed

Appellees' request for expedited briefing, but over the next weeks must dedicate a significant amount of time to responding to the merits of Appellees' recently-filed preliminary injunction motion. In addition to opposing the preliminary injunction, Appellants must respond to numerous discovery requests in both *Tinnus Ent., LLC and Zuru Ltd. v. Telebrands Corp., and Bed Bath & Beyond Inc.*, Civ. Act. No. 6:15-cv-00551-RWS-JDL (E.D. Tex.), and in the related case, *Zuru Ltd. v. Telebrands Corp.*, Civ. Act. No. 15-CV-00548-CCC-MF (D.N.J.). In *Tinnus Ent., LLC and Zuru Ltd. v. Telebrands Corp., and Bed Bath & Beyond Inc.*, parties are in the midst of exchanging and reviewing damages-related documents in advance of a June 6, 2016 deadline for early damages expert reports and a hearing scheduled for June 16, 2016. Consequently, Appellants respectfully request this Court grant a 14-day extension to file their reply brief.

Dated: May 9, 2016

Respectfully submitted,

/s/ D. Michael Underhill

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CERTIFICATE OF INTEREST FOR TELEBRANDS CORP.

Counsel for Appellant Telebrands Corp. certifies the following:

1. The full name of every party represented by me is: TELEBRANDS CORP.
2. The name of the real party in interest represented by me is: TELEBRANDS CORP.
3. All parent corporations and any publicly held companies that own 10 percent or more of the stock in the party represented by me are: NONE.
4. The names of all law firms and partners or associates that appeared for the party represented in the trial court or agency or are expected to appear in this court are:

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Dated: May 9, 2016

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CERTIFICATE OF INTEREST FOR BED BATH & BEYOND INC.

Counsel for Appellant Bed, Bath & Beyond Inc. certifies the following:

1. The full name of every party represented by me is: BED BATH AND BEYOND INC.
2. The name of the real party in interest represented by me is: BED BATH AND BEYOND INC.
3. All parent corporations and any publicly held companies that own 10 percent or more of the stock in the party represented by me are: NONE.
4. The names of all law firms and partners or associates that appeared for the party represented in the trial court or agency or are expected to appear in this court are:

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CERTIFICATE OF SERVICE

I certify that on May 9, 2016, I electronically filed a copy of this APPELLANTS' OPPOSITION TO APPELLEES' MOTION FOR LEAVE TO SUPPLEMENT THE RECORD AND APPENDIX with the Clerk of the Court using the Court's Case Management/Electronic Case Filing ("CM/EMF") System, which will send a notification of electronic filing ("NEF") to all counsel of record who are registered CM/EMF users, including counsel of record for the Appellees.

Dated: May 9, 2016

/s/ Stacey K. Grigsby
Stacey K. Grigsby